

2 INDICTED IN BAFF MYSTERY; COHEN BROTHERS GO TO TOMBS

FUGITIVES FROM THE EMDEN WHO SPREAD TERROR ON SEA ARE RUN DOWN BY WARSHIP

Escaped From Cocos Island After
Cruiser Was Sunk, Captured a Col-
lier, Mounted Two Maxims,
and Preyed on Commerce.

PARIS, Dec. 18.—The Ministry of Marine announced to-day that the British auxiliary cruiser Empress of Japan had captured the collier Exford, having on board three officers and forty men from the German cruiser Emden, sunk Nov. 10 by the Australian cruiser Sydney.

Forty men of the German cruiser Emden were ashore on Cocos Island when their vessel was overtaken and sunk by the Sydney. Under the command of Lieut. Muecke they commandeered a Cocos Island schooner, loaded it with provisions and sailed away. A despatch from Manila Dec. 16 said these men later captured a collier, on which they mounted two Maxim guns, evidently brought with them from the Emden, and began raiding commerce in the Pacific.

This report came through officers of the British steamer Malacca, which has arrived at Jolo. It has not, however, been confirmed from any official quarter. Where they captured this collier has not been divulged. The Malacca, fearing that she would be overhauled by this collier, made her way into Jolo without showing lights. This would indicate that the collier has been operating in the Pacific not far from the Philippine Islands.

BUENOS AIRES, Dec. 18.—There are two reports to-day about the cruiser Dresden, the last of von Spee's German raiding fleet.

One is that she is on the high sea threatening British commerce on the Southern Pacific and that all sailings of British ships have been cancelled. The second report comes from Rio Gallegos. The correspondent there of La Prensa telegraphs a story that the British cruiser Bristol has sunk the German cruiser Dresden.

The Dresden escaped from the destruction of Admiral von Spee's fleet off the Falkland Islands on Dec. 8 and entered the Straits of Magellan. The Bristol pursued the Dresden and was twenty-four hours behind her at Punta Arenas.

Germans Claim Great Victory In Battle 30 Miles From Warsaw

LONDON, Dec. 18 [United Press].—The most desperate fighting of the entire eastern campaign is now developing on a line within thirty miles of the city of Warsaw.

Berlin is celebrating what is accepted as a great victory over the Russians as the result of an official statement that the enemy's offensive against Posen and Silesia has completely broken down.

From Petrograd reports have come that the Russian lines south of the Vistula have been drawn back nearer Warsaw for strategic reasons. It is evident that the great battle upon which the fate of Warsaw may rest is only now approaching a climax.

The German official statement is regarded as covering the campaign here from a defensive standpoint than an offensive. By forcing the Russians to retreat not only in Central Poland, but on the southern line, the Germans have relieved the danger of invasion of their territory, but the battle for complete supremacy is yet to be fought.

By establishing their main position about Sochaczew the Russians have retreated fifteen miles from the Bzura-Lowicz line. The Germans are reported to be vigorously shelling the Russian positions and the important railroad town which the Czar's army is now guarding has already been damaged.

The German force engaged in the main advance upon Warsaw is now said to number more than 800,000 men. The Russians have even a greater force and reinforcements are being poured into the battle region.

Sochaczew is the last town of importance between the Germans and Warsaw. The capture of this position would give them control of the railroad leading direct to the Polish capital, as well as the lines running westward through Lowicz and to the German frontier.

On the southern front the Russians claim to have checked the Austrians advancing through the Dukla Pass from the Carpathians, but in this region as well as about Cracow engagements of great importance are developing. The Austro-German forces operating in the region of Piotrkow are believed to have driven the Russians back and by keeping these forces engaged have prevented reinforcements being sent northward.

The Germans must be held back from the Kielce-Radom line further east to protect the communications of the army about Cracow. The development of the German advance in the Piotrkow region and a victory at Sochaczew would probably be followed by a withdrawal of the Russians from about Cracow.

BERLIN, Dec. 18.—The people of Berlin are wild with joy to-day over the announcement of a great Austro-German victory over the Russians in Poland.

The official bulletin said:
The Russian offensive against Silesia and Posen has completely broken down.

In the whole of Poland the enemy was forced to retreat after fierce and stubborn frontal battles, and is being pursued everywhere.

CLEARY'S DAUGHTER TESTIFIES

Girl Faints on Stand After
Father Collapses With
Arms About Her.

BATTLE IN COURTROOM.

Child Wife Says Slayer Killed
Husband Unaware of
Their Marriage.

(Special to The Evening World from
a Staff Correspondent.)

NEW CITY, N. Y., Dec. 18.—A dramatic scene, which caused an uproar in the courtroom, occurred when Mrs. Emma Newman, daughter of William V. Cleary, on trial for the murder of his five-day son-in-law, walked to the witness stand to testify.

As she passed her father he leaped to his feet, clasped her in his arms and began violently kissing her. While the girl struggled in her father's arms her hat fell off and the pair almost toppled over among the excited jurors.

As court officers began to struggle with Cleary he disengaged one of his arms and with the other fought like a madman. Finally released he fell flat on his back. Mrs. Cleary rushed to her husband's side and partly lifted him to his feet.

Several attendants half carried Mrs. Newman to the witness chair. There she collapsed and lay back in a faint for several moments.

When Mrs. Newman was finally able to talk coherently her testimony tended to show that her father did not know Newman had married her when he shot him.

The opening of the defense developed a savage attack on the moral character and behavior of the dead boy. Attorney George A. Wyre said it would be shown the former Town Clerk had been advised by Policeman Perry and others to keep his family in New York because of young Newman's actions.

The lawyers all admit that her evidence is not of primary value, and that to put her on the stand is merely for the sake of bringing home to the emotions of the jurors the tragic plight of the Cleary family and the weight of the sorrow already piled upon them by the tragedy. She spent the day waiting in the apartments of Sheriff Server's family in the courthouse building.

The defense closed just before noon. Justice Morschauer said at recess that he hoped to be able to charge the jury to-night, and would do so if it did not necessitate keeping the jury up after 11 o'clock.

Mr. Wyre described the scenes of grief and misery in the Cleary home on July 22, when the Cleary parents were told of their daughter's condition. Cleary went out half dressed to telegraph to his sister in Chicago to

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HELD FOR BLACKMAIL.

John J. Donovan, fifty-five years old, and giving his occupation as contractor, was arrested by Detective Armstrong to-day at the Mills Hotel, Thirty-sixth Street and Seventh Avenue, charged with attempted blackmail. Donovan's accuser is State Senator Walter Aldorf of Johnstown, O., who claims to have received threatening letters from him.

Are You Going South?
Tickets, railroads and descriptive literature of all Southern, West Indian, Bermuda, Central and South American steamship lines at THE WORLD TRAVEL BUREAU, World Building, 125 E. 4th St., N. Y. City. Telephone Beckman 400. Check room for baggage and parcels open day and night.

Actress Who Values Her Torn Heart at \$50,000; Clubman De Camp and Wife Who Survived Titanic



RAILROADS WIN RATE DECISION AND GAIN \$50,000,000

Five Per Cent. Increase Is
Granted by Commerce Board
Owing to War Conditions.

WASHINGTON, Dec. 18.—The four years' fight of the Eastern railroads for a general advance of 5 per cent. in freight rates was won with the aid of the European war to-day when the Interstate Commerce Commission allowed the increase, with a few exceptions.

The exceptions from the increase will include rates on bituminous coal and coke, anthracite coal and iron ore, and rail-lake-and-rail, lake-and-rail and rail-lake rates.

A flat 5 per cent. increase is allowed on joint rates between "official classification territory"—the East—on one hand and Southeastern territory, the Southwest and points on or east of the Missouri River on the other; on interstate rates to and from New England from and to points in trunk line or central freight association—midwest—territory; on rates to and from New York, and throughout "official classification" or Eastern territory.

Increased revenues of about \$50,000,000 to the railroads, numbering about 125 affected, are expected.

"The conflict in Europe," said the commission, "will doubtless create unusual demand upon the world's fund of free capital and may be expected to check the flow of foreign investment funds to American railroads. It appears that our railroads represent the bulk of European investment in this country."

It is computed that in the years 1913 to 1917 the carriers must arrange for the payment or refunding of securities aggregating over \$500,000,000. "While we differ as to the relative importance to be attached to the various considerations presented, we are in the conclusion that by virtue of the conditions obtaining at present it is necessary that the carriers' revenues be supplemented by increases

(Continued on Fourth Page.)

BARI DUNN LOSES APPEAL AND MUST SERVE JAIL TERM

Appellate Division of Supreme
Court Confirms Tammany
Leader's Conviction.

The Appellate Division of the Supreme Court, sitting in Brooklyn, unanimously confirmed to-day the conviction of Bari Dunn, Tammany leader of the Eighteenth Manhattan Assembly District, who was found guilty in the Supreme Court, Rockland County, of a year and a day in prison for conspiracy in one of the highway graft cases.

The conviction of Joseph Fogarty, found guilty of approving, in his capacity of Supervisor of Roads for the Department of Highways, defective work performed by Dunn was also confirmed.

Dunn and Fogarty were sentenced to serve ten months in the penitentiary on Blackwell's Island. Inasmuch as the affirmation of conviction was unanimous, the Court overruling every contention for a reversal advanced by William Travers Jerome, Dunn's counsel, it is not likely there will be any further appeal.

The Dunbar Construction Company, of which Dunn is President, was given the contract to repair the road leading from Suffern to Tuxedo. After the road was completed it was inspected by John Hennessy, who had been delegated by Gov. Sulzer to look into highway graft. Dunn's indictment followed.

Evidence given in the trial showed that Dunn, prior to undertaking the contract, asked that Fogarty, who had formerly worked for him, be assigned to inspect and pass on the work.

TITANIC WIDOW'S SECOND HUSBAND SUED BY ACTRESS

Florence Clark Says Young
Clubman Jilted Her to
Marry Mrs. Marvin.

Miss Florence E. Clark, an actress, asks \$50,000 damages in a breach of promise suit she filed secretly in the Supreme Court two days ago against Horace S. De Camp, the young clubman who only a year ago married Mrs. Daniel V. Marvin, widow of the young moving picture magnate who lost his life on the Titanic. She was on the ship with him and was saved.

The young actress alleged she met De Camp while she was studying dramatic art in a school in 1912. He persuaded her, she says, to abandon her studies and prepare to become his wife.

Miss Clark says also she even went so far as to consult a modiste about her wedding tresson, and then one day she learned De Camp had married the young widow. She immediately consulted John L. Linehan, a lawyer at No. 130 Broadway, and he brought suit for breach of promise.

The filing of De Camp's demand for a bill of particulars in Part One of the Supreme Court to-day brought the suit to light. In that paper he denies he ever promised to marry the young actress and that she was well aware of the fact that he was betrothed to Mrs. Marvin. He asks her through his attorneys, Hays, Hirschfeld & Wolf, to furnish him with particulars as to when he made the alleged promise, whether it was in writing or verbal; what expense she went to in preparing for the marriage, what school of dramatic art she attended, and what social duties she gave up for him. De Camp alleges that he will ask for a dismissal of the suit.

\$12 Men's O'coats & Suits, \$4.95

The "HUB" Clothing Corner, Broadway, corner Barclay St., Opp. Woolworth Building, will sell to-day and Saturday the balance of their \$10 & \$12 Men's Winter Suits, Overcoats and Balmacaanas, black, blue, gray, blue, brown and dark tartan check; all sizes; our special price to-day and Saturday, \$4.95. Open Saturday night till 10. The "HUB" Clothing Store, Broadway, corner Barclay St., 44th.

'MURDER IS SOLVED,' SAYS WHITMAN'S AIDE; EXPECT NEW ARRESTS

"Killers and Men Who Hired Them
Will Be in Custody Before Mon-
day," Says Prosecutor After
Hearing Confession.

SUSPECT BREAKS DOWN AFTER 12-HOUR GRILLING

Late this afternoon the Grand Jury investigating the murder of Barnett Baff returned indictments against Joe and Jake Cohen, the two poultrymen named by James Moore in a statement made to the District Attorney.

They are charged with assault in the first degree. So important did Assistant District Attorney Delehanty consider the indictments that he asked Judge Malone in Special Sessions to hold each in \$25,000 bail. In default of that amount the Cohens were remanded to the Tombs.

After requesting the Judge to continue the Grand Jury's investigation until Monday, Mr. Delehanty announced that on Monday the men who actually killed Baff and the "higher-ups" who hired them would be under arrest. By that time the Police Department investigation, he said, would practically be ended.

Earlier in the day Mr. Delehanty asked Judge Malone to reconvene the Grand Jury, which had concluded its work for the day, at 4 o'clock. From 4 until 5.30 the jury considered the evidence on which the indictments against the Cohen brothers were based.

The eighth arrest in the Baff case, following, like the apprehension of the three Cohen brothers, upon revelations made to the District Attorney's office by James Moore, was swiftly accomplished at 3 o'clock this afternoon.

Benjamin Lewis, an ex-convict, less than three months out of Sing Sing, where he served a term for robbery, was arrested at his home, No. 224 Throop Avenue, Williamsburg. He was taken to Manhattan immediately and detectives said his destination was the District Attorney's office.

Lewis, said to be an intimate of Joe Cohen, the "boss chicken puller," and recently employed under Cohen in the railroad terminals on the Jersey shore, is reported to have been absent from the freight yards since the murder.

That indictments would follow the meeting of the Grand Jury Delehanty himself gave intimation early in the afternoon. He was asked what had become of the three Cohen brothers, Joe, Jake and Harry.

"Hasn't the Police Commissioner told you that?" he asked.

When told the Commissioner had referred questioners to him, the Acting District Attorney smiled and said:

"I can tell you where they are better after the session of the Grand Jury."

Assistant District Attorneys Deuel, Murphy and Breckenridge assumed the task of presenting the evidence before the Grand Jury.

Yesterday afternoon came the first break in the conspiracy of silence which had surrounded the Baff case for the better part of the month.

While Assistant District Attorneys Deuel and Murphy were examining the four suspects, Moore, Switzky, Kolodin and Rosenstein singly in an isolated room in Police Headquarters Moore showed the first signs of breaking.

Before he had gone far in his story the Assistant District Attorneys notified Commissioner Woods of the names of those involved in Moore's story.

He went into every detail not only of what he knew concerning the conspiracy behind the Baff murder, but of conditions of warfare in the West Washington Market which led to the removal by assassination of the chief enemy of the "ring."

After spending the night in a cell alone Moore was again brought to a room in the Criminal Courts Building at 9 o'clock to-day and was alone with Deuel until noon.

For Racing See Sporting Page.